

COPY OF PAPERS  
ORIGINALLY FILED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

PAUL E LUSE, ET AL.

Application No.: 10/090,944

Filed: March 4, 2002

For: CONTROL PROCEDURE SELECTION



Art Group: 2818

Examiner:

Assistant Commissioner for Patents  
Attention: Box Missing Parts  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts mailed April 1, 2002, please find enclosed:

- a duly executed Declaration and Power of Attorney and payment in the amount of \$130.00 for the surcharge of 37 CFR § 1.16(e);
- and
- copy of the Notice to file Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: May 29, 2002

12400 Wilshire Blvd., 7th Floor  
Los Angeles, California 90025

Paul A. Mendonsa, Reg. No. 42,879

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Attention: Box Missing Parts, Washington, D.C. 20231 on: May 29, 2002.

Catherine D. Louthan

05/29/02  
Date



PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Complete if Known**

*Patent fees are subject to annual revision.*

☐ Applicant claims small entity status. See 37 CFR 1.27.

|                                |             |               |
|--------------------------------|-------------|---------------|
| <b>TOTAL AMOUNT OF PAYMENT</b> | <b>(\$)</b> | <b>130.00</b> |
|--------------------------------|-------------|---------------|

|                      |               |
|----------------------|---------------|
| Application Number   | 10/090,944    |
| Filing Date          | March 4, 2002 |
| First Named Inventor | Paul E Luse   |
| Examiner Name        |               |
| Group/Art Unit       | 2818          |
| Attorney Docket No.  | 42390P13502   |

**COPY OF PAPERS  
ORIGINALLY FILED**

**METHOD OF PAYMENT** (check one)

☒ Check    ☐ Credit card    ☐ Money Order    ☐ Other    ☐ None

☒ Deposit Account

02-2666

**Blakely, Sokoloff, Taylor & Zafman LLP**

**The Commissioner is authorized to: ( check all that apply)**

☐ Charge fee(s) indicated below      ☐ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of the application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101          | 740      | 201          | 370      | Utility filing fee     |          |
| 106          | 330      | 206          | 165      | Design filing fee      |          |
| 107          | 510      | 207          | 255      | Plant filing fee       |          |
| 108          | 740      | 208          | 370      | Reissue filing fee     |          |
| 114          | 160      | 214          | 80       | Provisional filing fee |          |

**SUBTOTAL (1)**

**(S)**

## 2. EXTRA CLAIM FEES

| 2. EXTRA CLAIM FEES |    | Extra Claims | Fee from below | Fee Paid |
|---------------------|----|--------------|----------------|----------|
| Total Claims        | 40 | ..           | X              |          |
| Independent Claims  | 7  | ..           | X              |          |
| Multiple Dependent  |    |              |                |          |

| Large Entity |          | Small Entity |          |   |
|--------------|----------|--------------|----------|---|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) | Fee Description   |
| 103          | 18       | 203          | 9        | Claims in excess of 20                                    |
| 102          | 84       | 202          | 42       | Independent claims in excess of 3                         |
| 104          | 280      | 204          | 140      | Multiple Dependent claim, if not paid                     |
| 109          | 84       | 209          | 42       | **Reissue independent claims over original patent         |
| 110          | 18       | 210          | 9        | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

**(S)**

**\*\*or number previously paid, if greater, For Reissues, see below**

**FEE CALCULATION (continued)**

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105          | 130      | 205          | 65       | Surcharge - late filing fee or oath  | 130.00   |
| 127          | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139          | 130      | 139          | 130      | Non-English specification  |          |
| 147          | 2,520    | 147          | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112          | 920 *    | 112          | 920 *    | Requesting publication of SIR prior to Examiner action                     |          |
| 113          | 1,840 *  | 113          | 1,840 *  | Requesting publication of SIR after Examiner action                        |          |
| 115          | 110      | 215          | 55       | Extension for reply within first month                                     |          |
| 116          | 400      | 216          | 200      | Extension for reply within second month                                    |          |
| 117          | 920      | 217          | 460      | Extension for reply within third month                                     |          |
| 118          | 1,440    | 218          | 720      | Extension for reply within fourth month                                    |          |
| 128          | 1,960    | 228          | 980      | Extension for reply within fifth month                                     |          |
| 119          | 320      | 219          | 160      | Notice of Appeal   |          |
| 120          | 320      | 220          | 160      | Filing a brief in support of an appeal                                     |          |
| 121          | 280      | 221          | 140      | Request for oral hearing   |          |
| 138          | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140          | 110      | 240          | 55       | Petition to revive - unavoidable   |          |
| 141          | 1,280    | 241          | 640      | Petition to revive - unintentional   |          |
| 142          | 1,280    | 242          | 640      | Utility issue fee (or reissue)   |          |
| 143          | 460      | 243          | 230      | Design issue fee   |          |
| 144          | 620      | 244          | 310      | Plant issue fee  |          |
| 122          | 130      | 122          | 130      | Petitions to the Commissioner  |          |
| 123          | 50       | 123          | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 126          | 180      | 126          | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581          | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146          | 740      | 246          | 370      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149          | 740      | 249          | 370      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179          | 740      | 279          | 370      | Request for Continued Examination (RCE)                                    |          |
| 169          | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

|      |        |
|------|--------|
| (\$) | 130.00 |
|------|--------|

## SUBMITTED BY

|                   |                  |
|-------------------|------------------|
| Name (Print/Type) | Paul A. Mendonsa |
|-------------------|------------------|

**Registration No.**  
(Attorney/Agent)

42.879

Telephone

(503) 684-6200

**Signature**

Paul A. Mendonso

Date \_\_\_\_\_

05/29/02

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS  
ORIGINALLY FILED

Page 1 of 5  
APR 08 2002

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/090,944         | 03/04/2002          | Paul Edward Luse      | 42390P13502            |

08791  
BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR  
LOS ANGELES, CA 90025

CONFIRMATION NO. 6299

FORMALITIES LETTER



\*OC000000007757214\*

Date Mailed: 04/01/2002



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/11/2002 BNGUYEN1 00000031 10090944

01 FC:105

130.00 OP